

Date of Meeting: January 21, 2015

12a

**BOARD OF SUPERVISORS
BUSINESS MEETING
ACTION ITEM**

SUBJECT: **Transportation and Land Use Committee Report:
ZOAM 2014-0003, Limited Brewery and Agricultural
Processing Zoning Ordinance Amendment**

ELECTION DISTRICT: Countywide

CRITICAL ACTION DATE: At the Pleasure of the Board

STAFF CONTACTS: Mark Depo, Planner, Zoning Administration
Michelle Lohr, Assistant Zoning Administrator
John Merrithew, Acting Director, Planning & Zoning

PURPOSE: The purpose of ZOAM 2014-0003 is to amend the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance”) to establish the new use “Limited Brewery;” create Additional Regulations for Specific Uses of Section 5-600 (“Standards”) for “Limited Brewery;” add “Limited Brewery” as a use that may require a Sketch Plan; add, reclassify, or delete the “Agricultural Processing” and Agriculture, Horticulture, or Animal Husbandry uses; revise Standards in regard to “Agricultural Processing;” and revise the Definition for “Agricultural Processing.” ZOAM 2014-0003 is a continuation of the County’s efforts to encourage additional economic development opportunities.

RECOMMENDATIONS:

Transportation and Land Use Committee: On November 21, 2014, the Transportation and Land Use Committee (TLUC) reviewed ZOAM 2014-0003 and recommended (3-0-2, Clarke and York absent) changes to the Planning Commission’s draft text and forwarded ZOAM 2014-0003 to the Board of Supervisors (Board) with a recommendation of approval, based upon the draft text provided in Attachment 1.

Planning Commission: At its October 21, 2014 work session, the Planning Commission voted (5-1-2-1, Scheel opposed; Dunn and Blackburn abstained; and Ryan absent) approving recommended changes to the draft text and to forward ZOAM 2014-0003 to the Board with a recommendation of approval.

Zoning Ordinance Action Group: The Zoning Ordinance Action Group (ZOAG) met on November 12, 2014 to discuss the Planning Commission proposed text amendment. The ZOAG

upheld its original recommendation supporting ZOAM 2014-0003 with no additional regulations (proposed Section 5-667) similar to Virginia Farm Wineries.

Staff: Staff can support both the TLUC and the Planning Commission recommendations. However, Staff recommends providing additional regulations to Section 5-667 regarding traffic and access; impact on adjacent neighbors; impact to the development/community; and the impact of well/septic systems necessitated by a Limited Brewery use as discussed in detail in the Issues section of the Board Public Hearing staff report and as outlined in the draft text provided in Attachment 2.

UPDATE: The background for ZOAM 2014-0003 was discussed extensively in the November 12, 2014 Board Public Hearing Item. On November 12, 2014, the ZOAG upheld its original recommendations for ZOAM 2014-0003. At the November 12, 2014 Board Public Hearing, seven members of the public spoke on the application; five supported removing regulations (Section 5-667) proposed for Limited Breweries and two supported additional regulations for Limited Breweries. Board member discussions focused on 1) Revisions to the Limited Brewery zoning maps provided at the public hearing; 2) Limited Brewery in the A-3 Zoning District; 3) Limited Brewery in the AR-1 Zoning District (rezoned 3 acre A-3 lot developments) 4) Virginia Farm Winery and Limited Brewery comparison; 5) Alcoholic Beverage Control (ABC) Limited Brewery process; 6) Sketch Plan requirements for a Limited Brewery; 7) Limited Brewery impact on neighbors; and 8) Limited Brewery/Bed and Breakfast/Agricultural structures permitting requirements (Building Code, Grading, and Fire Prevention Code). Following the discussion on ZOAM 2014-0003, the Board voted (9-0) to forward ZOAM 2014-0003 to the November 21, 2014 TLUC Meeting for additional discussion.

On November 21, 2014, TLUC reviewed ZOAM 2014-0003 and discussed the eight Board discussion topics above. Additionally, TLUC discussed the definition of Agricultural Processing and the 51 percent on-site production requirement. The TLUC recommended changes to the Planning Commission's recommended draft text eliminating the property access easement language of Section 5-667(C); adding new language under Limited Brewery, defining "farm" as one or more contiguous parcels of land under the common ownership by such licensed limited brewery having a minimum of 10 acres; adding new language to Section 5-667 recommending that Limited Brewery applicants contact Fire, Rescue, and Emergency Management and Building and Development regarding informal informational inspections of facilities; and existing or proposed structures for a Limited Brewery be processed the same as a Virginia Farm Winery. Following the discussion on ZOAM 2014-0003, TLUC recommended (3-0-2, Clarke and York absent) that ZOAM 2014-0003 be forwarded to the January 21, 2015 Board Business Meeting for action with the amendments as discussed by TLUC. [Attachment 1]

ISSUES: The outstanding issues of County Staff regarding the draft text of ZOAM 2014-0003 were discussed extensively in the November 12, 2014 Board Public Hearing Item and the November 21, 2014 TLUC meeting. Staff offers the following comments for the Board to consider.

Limited Brewery: Standards for the Limited Brewery Use

The economic, development, tourism, and agricultural benefits related to the Limited Brewery use is in keeping with the County's vision for a vibrant and successful rural economy and Staff fully supports the introduction of the use in Loudoun County. Staff supports the proposed definition of Limited Brewery and adding this use in the AR-1, AR-2, A-3 and A-10 zoning districts. Staff does not fully support proposed Section 5-667 as recommended by TLUC or the Planning Commission and recommends establishing Additional Regulations (Standards) with ZOAM 2014-0003, as provided in Attachment 2.

Staff is concerned with the traffic generated; adequacy of the road system; impact to adjacent neighbors and community; and impact to well/septic systems related to a Limited Brewery and in particular to the events and tasting facilities associated with the use. Staff believes the recommended Standards for Section 5-667, as provided in Attachment 2, are necessary to protect the health, safety, and welfare of guests and neighbors and that the Ordinance needs a mechanism in place that will require these issues to be reviewed and not left as voluntary measures. Staff further recommends that a sketch plan be required as a means of reviewing compliance with the Standards.

Staff proposed performance standards for Limited Brewery are derived from existing Standards from agricultural and commercial uses currently allowed in the AR-1, AR-2, A-3 and A-10 zoning districts and provide a minimal level of protection from the impacts of a Limited Brewery on the adjacent properties and surrounding community. The proposed Standards are also in keeping with the adopted Amendments to the Code of Virginia to protect the health, safety, and welfare of property owners, and to regulate outdoor amplified music, minimum parking, road access, and road upgrade requirements.

FISCAL IMPACT: The goal of ZOAM 2014-0003 is to encourage economic development that will result in increased revenue and the ability to reduce the tax burden on the citizens of Loudoun County. The draft text recommended by TLUC for ZOAM 2014-0003 includes a requirement that new structures proposed for a "Limited Brewery" obtain an approved zoning permit application. The current fee schedule lists Zoning Permit fees as \$165.00 for residential use and \$210.00 for commercial use. Sufficient funding is included in the Department's existing budget for the necessary Staff time and resources to process applications of this type.

ALTERNATIVES: The following alternatives have been identified for the Board's consideration. None of the alternatives will require additional public notice and hearing.

1. Adopt ZOAM 2014-0003 draft text dated November 21, 2014, TLUC recommended amendments, as provided in Attachment 1 of the January 21, 2015 Board Business Meeting.
2. Adopt ZOAM 2014-0003 draft text dated October 21, 2014, Planning Commission recommended amendments, as provided in Attachment 1 of the November 12, 2014 Board Public Hearing.

3. Adopt ZOAM 2014-0003 draft text dated November 21, 2014, as provided in Attachment 1 of the January 21, 2015 Board Business Meeting with Staff proposed Section 5-667, as provided in Attachment 2 of the January 21, 2015 Board Business Meeting.
4. Take no action on ZOAM 2014-0003.

DRAFT MOTIONS:

1. I move that the Board of Supervisors **approve** ZOAM 2014-0003, Limited Brewery and Agricultural Processing Zoning Ordinance Amendment, as recommended by the Transportation and Land Use Committee, dated November 21, 2014, as set forth in Attachment 1 of the January 21, 2015 Board of Supervisors Business Meeting Action Item.

OR

2. I move that the Board of Supervisors **approve** ZOAM 2014-0003, Limited Brewery and Agricultural Processing Zoning Ordinance Amendment, as recommended by the Planning Commission, dated October 21, 2014, as set forth in Attachment 1 of the November 12, 2014 Board of Supervisors Public Hearing Action Item.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. TLUC Draft Text dated November 21, 2014
2. Staff Draft Text Section 5-667 and Section 6-703

**ZOAM 2014-0003 LIMITED BREWERY/AG PROCESSING
TRANSPORTATION AND LAND USE COMMITTEE
DRAFT TEXT**

November 21, 2014

FINAL

**ARTICLE 1
NON-SUBURBAN DISTRICT REGULATIONS**

DIVISION A: RURAL DISTRICTS

Section 2-100 AR-1 Agricultural Rural-1

2-101 Purpose and Intent. The purpose and intent of the AR-1 district is to:

- (A) Support the use of land for rural economy uses, with residential uses allowed at densities consistent with the general open and rural character of the rural economy uses.
- (B) Allow for a broad range of rural economy uses, including (agriculture, horticulture and animal husbandry), agriculture support and services associated with on-going agricultural activities, and other uses that can be developed in ways consistent with the rural character of the AR-1 district through mitigation or other standards.
- (C) Recognize the County's tourism industry is interconnected with the rural economy and rural economy uses in the district by allowing for tourism uses related to agricultural uses, conference and training center uses, and rural activity and special event uses.
- (D) Promote consistency between residential development and rural economy uses through lower density residential development or clustering of residential development.
- (E) Ensure that the rural economy uses are compatible with any existing permitted residential development.

2-102 Use Regulations. Table 2-102 summarizes the principal use regulations of the AR-1 district.

- (A) **Organization of Use Table.** Table 2-102 organizes the uses in the AR-1 district by Use Classifications, Use Categories and Use Types.
 - (1) **Use Classifications.** The Use Classifications are: agricultural uses; residential uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general

classifications (e.g., agricultural uses and residential uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.

- (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
 - (3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-102 are defined in Article VIII (Definitions).
 - (C) **Permitted and Special Exception Uses.** A “P” in the column identified “AR-1” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the AR-1 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the AR-1 district as a special exception in accordance with the procedures and standards of Section 6-1300. An “M” indicates that a Use Type is allowed in the AR-1 district as a Minor Special Exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a Special Exception or Minor Special Exception under other conditions. In those instances, it is identified as “P/S” or “P/M,” as appropriate.

- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column, means all of the uses in the Use Category are allowed. The Use Category is defined in Article VIII. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.
- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-102 (AR-1 District Use Table) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600.
- (F) **Minimum Lot Size Requirements.** Each principal permitted use shall meet the minimum acreage requirement, where specified in the “Additional Regulations for Specific Uses” in Section 5-600, for that use. Where two or more principal uses are located on one parcel, the parcel size shall be the larger of the two or more uses requirements, and not the sum of all the minimum lot sizes.

TABLE 2-102: AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	P	Section 5-627
	Agri-education	P	Section 5-627
	Animal care business	P	Section 5-627
	Agritainment	P	Section 5-627
	Commercial winery with 20,000 square feet or less	P	Section 5-625
	Commercial winery, over 20,000 square feet	S	Section 5-625

TABLE 2-102:
AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site – including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian facilities	P	Section 5-627
	Farm based tourism	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Feedlot (for on-going, on-site animal husbandry activities)	P	Section 5-627
	Limited Brewery	P	Section 5-667
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Pet farms	P	Section 5-627
	Restaurant	P	Section 5-627
	Sawmill	S	Section 5-629
	Stables	P	Section 5-627
	Veterinary services	P	
	Virginia Farm Winery	P	
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627

TABLE 2-102:
AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Agriculture Support and Services <u>Not Directly</u> Associated with On-Site Agricultural Activity	Agricultural research facility	P	Section 5-644
	Animal care businesses	P	Section 5-630
	Central farm distribution hub for agricultural products	P	Section 5-630
	Commercial winery with 20,000 square feet or less	P	Section 5-625
	Commercial winery, over 20,000 square feet	S	Section 5-625
	Equestrian facility	P	Section 5-630
	Equestrian facility, on lots of less than 50 acres or without frontage on state maintained road	M	Section 5-630
	Farm machinery repair	P	Section 5-630
	Farm machinery sales, rental and service	P	Section 5-615
	Mill feed and farm supply center	P	Section 5-630
	Nursery, commercial	S	Section 5-605
	Stable, neighborhood, on lots of 25 acres or more, or frontage on state maintained road	P	Section 5-630
	Stable, neighborhood, on lots of less than 25 acres or without frontage on state maintained road	M	Section 5-630
	Stable, private	P	Section 5-630
Animal Services	Animal hospital	P	Section 5-631
	Kennel	S	Section 5-606
	Kennel, Indoor	M	Section 5-606
RESIDENTIAL USES			

TABLE 2-102:
AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	May divide property in accordance with Section 2-103 Development Options.
	Home occupation (accessory to single family detached dwelling)	P	Section 5-400
	Portable Dwelling/Trailer Construction	P	
Group Living	Co-housing	P	
	Convent or monastery	P/S	Section 5-656
	Dormitory, seasonal labor	M	Section 5-632
	Rooming house	P	
PUBLIC AND INSTITUTIONAL USES			
Aviation	Airport/landing strip	S	Section 5-633
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care center	S	Section 5-609(B)
Cultural and Government Facilities	Agricultural cultural center	S	Section 5-634
	Fairground	S	Section 5-635
	Structures or uses for local government purposes not otherwise listed in the district	S	
Education	School (elementary, middle, or high)	S	
	Vocational school	S	
Park and Open Space	Arboretum	P	Section 5-636
	Botanical garden or nature study area	P	Section 5-636

TABLE 2-102:
AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood, or regional park, passive recreational uses	P	
	Community, neighborhood, or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	P	Section 5-638
	Police station or substation	P	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639
	Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 30 <u>50</u> children, recreational facilities	S	Section 5-639
Utility	General Use Category	P	Recycling drop-off collection center, public: Section 5-607 Utility substation, transmission: Section 5-616(A) Utility substation, distribution: Section 5-616(B)
	Municipal drinking water supply reservoir	P	
	Sewage Treatment Plant	S	Section 5-621
	Sewer Pumping Station	P	Section 5-621
	Water Storage Tank	S	Section 5-621
	Water Treatment Plant	S	Section 5-621

TABLE 2-102:
AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Water Pumping Station	P	Section 5-621
	Utility transmission lines, overhead (excluding connections of lines from existing overhead public utility transmission lines to individual uses)	S	Unless excepted by Section 1-103(D)
COMMERCIAL USES			
Conference and Training Centers	Conference and training centers	P/M	Section 5-640
	Rural agricultural corporate retreat	P	Section 5-619
	Rural Resort	M	Section 5-601(C)
	Rural Retreat	M	Section 5-601(C)
Food and Beverage	Teahouse; coffeehouse	P	Section 5-641
	Banquet/Event Facility	M	Section 5-642
	Restaurant	M	Section 5-643
Office	Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district	M	Section 5-644
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	Section 5-645
	Camp, day and boarding, with more than 30 campers	M	Section 5-645
	Campground	M	Section 5-646
	Country Club	S	Section 5-660
	Cross country ski business	P	Section 5-647
	Eco-tourism	P	Section 5-647
	Golf course	S	Section 5-648

TABLE 2-102:
AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Outdoor amphitheater	S	Section 5-649
	Private Club or Lodge	S	
	Rural recreational establishment, outdoor	P	
Retail Sales and Service	Antique shop	P	Section 5-650
	Art gallery or art studio	P	Section 5-650
	Auction house	S	Section 5-651
	Craft shop	P	Section 5-650
	Small business	P/M	Section 5-614
Visitor Accommodation	Bed and Breakfast Homestay	P	Section 5-601(A)
	Bed and Breakfast Inn	P	Section 5-601(B)
	Country Inn	P	Section 5-601(C)
	Country Inn with Restaurant with an occupancy of no more than 100	P	Section 5-601(C)
	Country Inn with Restaurant with an occupancy of more than 100	M	Section 5-601(C)
	Guest farm or ranch leasing up to 20 guest rooms	P	
INDUSTRIAL USES			
Telecommunication Use and/or Structure	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunications transmission tower	S	Section 5-618(C)(2)

TABLE 2-102:
AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Waste-Related Uses	Vegetative Waste Management facility	M	(Grant of a special exception does not avoid requirements of Chapter 1080,Codified Ordinances of Loudoun County, or any other applicable law.)
	Yard Waste Composting Facility	S	(Grant of a special exception does not avoid requirements of Chapter 1080,Codified Ordinances of Loudoun County, or any other applicable law.)
	Stockpiling of dirt	S	Section 5-657

Section 2-200

AR-2 Agricultural Rural-2

2-201

Purpose and Intent. The purpose and intent of the AR-2 district is to:

- (A) Support the use of land for rural economy uses consistent with the pattern of rural and agricultural land uses in the district, including sustaining and nurturing the economically significant equine industry.
- (B) Allow residential uses at densities consistent with the general open and rural character of the rural economy uses, and consistent with the land use patterns in the district, which are marked by low density and large parcels relative to the other portions of the County.
- (C) Allow for a broad range of rural economy uses, including traditional and new agricultural uses (agriculture, horticulture and animal husbandry), agriculture support and basic services directly associated with on-going agricultural activities, and other uses that can be developed in ways that are consistent with the rural character of the AR-2 District through mitigation or other standards.
- (D) Recognize the County's tourism industry is interconnected with the rural economy and rural economy uses in the district by allowing for tourism uses related to agricultural uses, conference and training center uses, and rural activity and special event uses for tourists.
- (E) Promote consistency between residential development and rural economy uses through lower density residential development or the clustering of residential development.
- (F) Ensure that the rural economy uses are compatible with any existing permitted residential development.

2-202

Use Regulations. Table 2-202 summarizes the principal use regulations of the AR-2 district.

(A) **Organization of Use Table.** Table 2-202 organizes the uses in the AR-2 district by Use Classifications, Use Categories and Use Types.

(1) **Use Classifications.** The Use Classifications are: agricultural uses; residential uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., agricultural uses and residential uses). The Use Classifications then organize land uses and activities into general “Use Categories” and specific “Use Types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.

(2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.

(3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.

(B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-202 are defined in Article VIII (Definitions).

(C) **Permitted and Special Exception Uses.** A “P” in the column identified “AR-2” indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the

AR-2 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An “S” indicates that a Use Type is allowed in the AR-2 district as a special exception in accordance with the procedures and standards of Section 6-1300. An “M” indicates that a Use Type is allowed in the AR-2 district as a Minor Special Exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a Special Exception or Minor Special Exception under other conditions. In those instances, it is identified as “P/S” or “P/M,” as appropriate.

- (D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column mean all of the uses in the Use Category are allowed. The Use Category is defined in Article VIII. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.
- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-202 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600.
- (F) **Minimum Lot Size Requirements.** Each principal permitted use shall meet the minimum acreage requirement, where specified in the “Additional Regulations for Specific Uses” in Section 5-600, for that use. Where two or more principal uses are located on one parcel, the parcel size shall be the larger of the two or more uses requirements, and not the sum of all minimum lot sizes.

TABLE 2-202: AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626

TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	P	Section 5-627
	Agri-education	P	Section 5-627
	Animal care business	P	Section 5-627
	Agritainment	P	Section 5-627
	Commercial winery with 20,000 square feet or less	P	Section 5-625
	Commercial winery, over 20,000 square feet	S	Section 5-625
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site - including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian facilities	P	Section 5-627
	Farm based tourism	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Feedlot (for on-going, on-site animal husbandry activities)	P	Section 5-627
	Limited Brewery	P	Section 5-667
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605

TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Pet farms	P	Section 5-627
	Restaurant	P	Section 5-627
	Sawmill	S	Section 5-629
	Stables	P	Section 5-627
	Veterinary services	P	
	Virginia Farm Winery	P	
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
Agriculture Support and Services <u>Not Directly</u> Associated with On-Site Agricultural Activity	Agricultural research facility	P	Section 5-644
	Animal care businesses	P	Section 5-630
	Central farm distribution hub for agricultural products	P	Section 5-630
	Commercial winery, with 20,000 square feet or less	P	Section 5-625
	Commercial winery, over 20,000 square feet	S	Section 5-625
	Equestrian facility	P	Section 5-630
	Equestrian facility, on lots of less than 50 acres or without frontage on state maintained road	M	Section 5-630
	Farm machinery repair	P	Section 5-630
	Farm machinery sales, rental and service	P	Section 5-615
	Mill feed and farm supply center	P	Section 5-630
	Nursery, commercial	S	Section 5-605

TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Stable, neighborhood, on lots of 25 acres or more, or frontage on state maintained road	P	Section 5-630
	Stable, neighborhood, on lots of less than 25 acres or without frontage on state maintained road	M	Section 5-630
	Stable, private	P	Section 5-630
Animal Services	Animal hospital	P	Section 5-631
	Kennel	S	Section 5-606
	Kennel, Indoor	M	Section 5-606
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	May subdivide property in accordance with Section 2-203 Development Options.
	Home occupation (accessory to single family detached dwelling)	P	Section 5-400
	Portable Dwelling/Trailer Construction	P	
Group Living	Co-housing	P	
	Convent or monastery	P/S	Section 5-656
	Dormitory, seasonal labor	M	Section 5-632
	Rooming house	P	
PUBLIC AND INSTITUTIONAL USES			
Aviation	Airport/landing strip	S	Section 5-633
Day Care	Child care home	P	Section 5-609(A)

TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Facilities	Child or adult day care center	S	Section 5-609(B)
Cultural and Government Facilities	Agricultural cultural center	S	Section 5-634
	Fairground	S	Section 5-635
	Structures or uses for local government purposes not otherwise listed	S	
Education	School (elementary, middle, or high)	S	
	Vocational school	S	
Park and Open Space	Arboretum	P	Section 5-636
	Botanical garden or nature study area	P	Section 5-636
	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood, or regional park, passive recreational uses	P	
	Community, neighborhood, or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	P	Section 5-638
	Police station or substation	P	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639

TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	General Use Category	P	Recycling drop-off collection center, public: Section 5-607 Utility substation, transmission: Section 5-616(A) Utility substation, distribution: Section 5-616(B)
	Municipal drinking water supply reservoir	P	
	Sewage Treatment Plant	S	Section 5-621
	Sewer Pumping Station	P	Section 5-621
	Water Storage Tank	S	Section 5-621
	Water Treatment Plant	S	Section 5-621
	Water Pumping Station	P	Section 5-621
	Utility transmission lines, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103(D)
COMMERCIAL USES			
Conference and Training Centers	Conference and training centers	M	Section 5-640
	Rural agricultural corporate retreat	P	Section 5-619
	Rural Resort	M	Section 5-601(C)
	Rural Retreat	M	Section 5-601(C)

TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Food and Beverage	Teahouse; coffeehouse	P	Section 5-641
	Banquet/Event Facility	M	Section 5-642
	Restaurant	M	Section 5-643
Office	Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district	M	Section 5-644
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	Section 5-645
	Camp, day and boarding, with more than 30 campers	M	Section 5-645
	Campground	M	Section 5-646
	Country Club	S	Section 5-660
	Cross country ski business	P	Section 5-647
	Eco-tourism	P	Section 5-647
	Golf course	S	Section 5-648
	Outdoor amphitheater	S	Section 5-649
	Private Club or Lodge	S	
	Rural recreational establishment, outdoor	P	
Retail Sales and Service	Antique shop	P	Section 5-650
	Art gallery or art studio	P	Section 5-650
	Auction house	S	Section 5-651
	Craft shop	S	Section 5-650
	Small business	P/M	Section 5-614

TABLE 2-202:
AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Visitor Accommodation	Bed and Breakfast Homestay	P	Section 5-601(A)
	Bed and Breakfast Inn	P	Section 5-601(B)
	Country Inn	P	Section 5-601(C)
	Country Inn with Restaurant with an occupancy of no more than 100	P	Section 5-601(C)
	Country Inn with Restaurant with an occupancy of more than 100	M	Section 5-601(C)
	Guest farm or ranch leasing up to 20 guest rooms	P	
INDUSTRIAL USES			
Telecommunication Use and/or Structure	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunications transmission tower	S	Section 5-618(C)(2)
Waste-Related Uses	Vegetative waste management facility	S	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)
	Yard waste composting facility	S	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)
	Stockpiling of dirt	S	Section 5-657

Section 2-300

A-10 Agriculture

2-301

Purpose. This district is established to protect rural areas of the county in which agriculture, farm operations, and low density residential development on parcels in excess of ten (10) acres have become the established land use pattern, and to provide an environment which encourages residents to continue to live and practice agricultural operations without adverse impacts arising from new, higher density development. The district permits uses compatible with and supportive of agriculture, including agriculturally related and home based businesses appropriate to a rural and farm setting. The district also permits direct marketing of farm products and services in conjunction with farm operations. The rezoning of land to A-10 in other areas of the County shall not be permitted.

2-302

Permitted Uses. The following uses are permitted in this district:

- (A) Agriculture, horticulture, forestry, and fishery, pursuant to Section 5-626.
- (B) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (C) Bed and Breakfast Homestay, pursuant to Section 5-601(A).
- (D) Child care home, pursuant to Section 5-609(A).
- (E) Cluster development, pursuant to Section 2-305.
- (F) Equestrian facility, on lots of fifty (50) acres or more, with frontage on a state maintained road.
- (G) Farm machinery sales and service, pursuant to Section 5-615.
- (H) Guest farm or ranch, leasing no more than three (3) guest rooms.
- (I) Guest house, pursuant to Section 5-612.
- (J) Rural hamlet, pursuant to Section 5-702.
- (K) Home occupation, pursuant to Section 5-400.
- (L) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area, and game preserve.
- (M) Nursery, production, with frontage on a state maintained road, pursuant to Section 5-605.

- (N) Public or private playground or neighborhood park.
- (O) Recycling drop-off collection center, small, pursuant to Section 5-607.
- (P) Dwelling, single family, detached, including manufactured housing.
- (Q) Small business, pursuant to Section 5-614.
- (R) Stable, neighborhood, on lots of twenty five (25) acres or more, with frontage on a state maintained road.
- (S) Stable, private.
- (T) Tenant dwelling, pursuant to Section 5-602(A) & (C).
- (U) Wayside stand pursuant to Section 5-604.
- (V) Utility substation, dedicated.
- (W) Veterinary service.
- (X) Bus shelter.
- (Y) Commuter parking lot, with less than 50 spaces.
- (Z) Sewer pumping station.
- (AA) Mill, feed and farm supply center.
- (BB) Water pumping station.
- (CC) Rural agricultural corporate retreat, pursuant to Section 5-619.
- (DD) Pet Farm.
- (EE) Telecommunications antenna, pursuant to Section 5-618(A).
- (FF) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- [\(GG\)](#) Bed and Breakfast Inn, pursuant to Section 5-601(B).
- ~~(GG)~~[\(HH\) Limited Brewery, pursuant to Section 5-667.](#)

2-303

Special Exception Uses. The following uses may be approved by the Board of Supervisors and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

- (A) Airport
- (B) RESERVED.
- (C) Community center.
- (D) Country Inn, pursuant to 5-601(C), by Minor Special Exception.
- (E) Camp, day and boarding.
- (F) Educational or research facilities related to uses permitted in this district.
- (G) Equestrian facility, on lots of less than fifty (50) acres or without state maintained road frontage.
- (H) Extraction of sedimentary rock.
- (I) Farm market, pursuant to Section 5-603.
- (J) Fire and/or rescue station.
- (K) Guest farms or ranch, leasing four to twenty (4-20) guest rooms.
- (L) Private club or lodge.
- (M) Nursery, production without frontage on a state maintained road, pursuant to Section 5-605.
- (N) Orphanage, or similar institution.
- (O) Small business, pursuant to the provisions of Section 5-614.
- (P) Stable, neighborhood, on lots of less than fifty (50) acres or without state maintained road frontage.
- (Q) Structure or use for federal, state, county or local government purposes, not otherwise listed.
- (R) Tenant dwelling, pursuant to Section 5-602.
- (S) Utility transmission lines, overhead.

- (T) Animal hospital.
- (U) Kennel, pursuant to Section 5-606.
- (V) Yard waste composting facility.
- (W) Cemetery, mausoleum or memorial park, pursuant to Section 5-637.
- (X) Church, synagogue and temple.
- (Y) Convent, monastery, or seminary, pursuant to Section 5-656.
- (Z) Child or adult day care center, pursuant to Section 5-609.
- (AA) Commuter parking lot with greater than 50 spaces.
- (BB) Congregate housing facility.
- (CC) Country club.
- (DD) Golf course.
- (EE) Public or private community or regional park.
- (FF) Sawmill, pursuant to Section 5-629.
- (GG) Agricultural processing facilities, such as abattoir, cannery, grain mill and the like.
- (HH) Water storage tank pursuant Section to 5-621.
- (II) Water treatment plant, pursuant to Section 5-621.
- (JJ) Sewage treatment plant pursuant to Section 5-621.
- (KK) Rural resort, pursuant to Section 5-601.
- (LL) Crematorium, pursuant to Section 5-637.
- (MM) Rural agricultural corporate retreat, pursuant to Section 5-619.
- (NN) Vegetative waste management facility.
- (OO) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (PP) Telecommunications tower, pursuant to Section 5-618(C)(2).

(QQ) Police Station.

(RR) Banquet/Event Facility, pursuant to Section 5-642 as a Minor Special Exception.

(SS) Country Inn with Restaurant, pursuant to 5-601(C).

Section 2-400

A-3 Agricultural Residential.

2-401

Purpose. This district is established to provide for the continued practice of agriculture, farm operations, agriculturally related and home based businesses, low density residential developments, preferably in a hamlet subdivision pattern, and other uses in a predominantly rural environment. The district also permits direct marketing of farm products and services.

2-402

Permitted Uses. The following uses are permitted in this district:

- (A) Agriculture, horticulture, forestry, and fishery, pursuant to Section 5-626.
- (B) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (C) Bed and Breakfast Homestay, pursuant to Section 5-601(A).
- (D) Child care home, pursuant to Section 5-609(A).
- (E) Equestrian facility, on lots of fifty (50) acres or more, with frontage on a state maintained road.
- (F) Guest farm or ranch, leasing no more than three (3) guest rooms.
- (G) Guest house, pursuant to Section 5-612.
- (H) Rural hamlet, pursuant to Section 5-702.
- (I) Home occupation, pursuant to Section 5-400.
- (J) Nature preserve, such as but not limited to, wildlife sanctuary, conservation areas, and game preserve.
- (K) Nursery, production, with frontage on a state maintained road, pursuant to Section 5-605.
- (L) Public or private playground, or neighborhood park.
- (M) Recycling drop-off collection center, small, pursuant to Section 5-607.
- (N) School, private elementary or middle, for fifteen or less (15) pupils.
- (O) Dwelling, single-family, detached, including manufactured housing.
- (P) Small business, pursuant to the provisions of Section 5-614.

- (Q) Stable, neighborhood on lots of twenty five (25) acres or more, with frontage on a state maintained road.
- (R) Stable, private.
- (S) Tenant dwelling, pursuant to Section 5-602(A) & (C).
- (T) Wayside stand, pursuant to Section 5-604.
- (U) Utility substation, dedicated.
- (V) Bus shelter.
- (W) Commuter parking lot, with 50 spaces or less.
- (X) Farm machinery sales and service, pursuant to Section 5-615.
- (Y) Sewer pumping station, pursuant to Section 5-621.
- (Z) Water pumping station, pursuant to Section 5-621.
- (AA) Mill, feed and farm supply center.
- (BB) Rural agricultural corporate retreat, pursuant to Section 5-619.
- (CC) School, public.
- (DD) Pet Farm.
- (EE) Telecommunications antenna, pursuant to Section 5-618(A).
- (FF) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (GG) Municipal drinking water supply reservoir.

(HH) Bed and Breakfast Inn, pursuant to Section 5-601(B).

~~(HH)~~(II) Limited Brewery, pursuant to Section 5-667.

2-403

Special Exception Uses. The following uses may be approved by the Board of Supervisors and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

- (A) RESERVED
- (B) Cemetery, mausoleum or memorial park, pursuant to Section 5-637.
- (C) Church, synagogue and temple.

- (D) Nursery, commercial, pursuant to Section 5-605.
- (E) Community center.
- (F) Convent, monastery, or seminary, pursuant to Section 5-656.
- (G) Country Inn, pursuant to Section 5-601(C), by Minor Special Exception.
- (H) Camp, day and boarding.
- (I) Equestrian facility, on lots of less than fifty (50) acres or without frontage on a state maintained road.
- (J) Extraction of sedimentary rock.
- (K) Farm market, pursuant to Section 5-603.
- (L) Fire and/or rescue station.
- (M) Guest farm or ranch, leasing four to twenty (4-20) guest rooms.
- (N) Kennel, pursuant to Section 5-606.
- (O) Nursery, production, without frontage on a state maintained road, pursuant to Section 5-605.
- (P) Private club or lodge.
- (Q) School.
- (R) Public utility service center and storage yard.
- (S) Recycling drop-off collection center, large, pursuant to Section 5-607.
- (T) Continuing care facility.
- (U) Orphanage, or similar institution.
- (V) Rural retreat, pursuant to Section 5-601(D).
- (W) Small business, pursuant to the provisions of Section 5-614.
- (X) Stable, neighborhood, on lots less than twenty-five (25) acres, or without frontage on a state maintained road.
- (Y) Structure or use for federal, state, county, or local governmental purposes, not otherwise listed.

- (Z) Tenant dwelling, pursuant to Section 5-602(B) & (C).
- (AA) Testing station.
- (BB) Veterinary service.
- (CC) Utility substation, transmission, pursuant to 5-616.
- (DD) Utility transmission lines, overhead.
- (EE) Hospital, pursuant to Section 5-610.
- (FF) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (GG) Yard waste composting facility.
- (HH) Airport.
- (II) Arboretum.
- (JJ) Auction house.
- (KK) Borrow pit for construction.
- (LL) Child or adult daycare center, pursuant to Section 5-609.
- (MM) Commuter parking lot with greater than 50 spaces.
- (NN) Congregate housing facility.
- (OO) Country club.
- (PP) Educational or research facility related to uses permitted in this district.
- (QQ) Fairgrounds.
- (RR) Golf course
- (SS) Marina.
- (TT) Playing fields and courts, lighted.
- (UU) Public or private community or regional park.
- (VV) Radio and/or television tower.
- (WW) Sawmill, pursuant to Section 5-629.
- (XX) Sewage treatment plant.

- (YY) Agricultural processing facilities such as, abattoir, cannery, grain mill, and the like.
- (ZZ) Animal hospital.
- (AAA) Water storage tank.
- (BBB) Utility substation, distribution, pursuant to Section 5-616.
- (CCC) Rural resort, pursuant to Section 5-601.
- (DDD) Crematorium, pursuant to Section 5-637.
- (EEE) Rural agricultural corporate retreat, pursuant to Section 5-619.
- (FFF) Vegetative waste management facility.
- (GGG) Recreation establishment, outdoor or indoor.
- (HHH) Magazine contained explosives facility, pursuant to Section 5-622.
- (III) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (JJJ) Police Station.
- (KKK) Banquet/Event Facility, pursuant to Section 5-642, by Minor Special Exception.
- (LLL) Country Inn with Restaurant, pursuant to Section 5-601(C).

Section 5-600 Additional Regulations for Specific Uses. The following additional regulations apply to specific uses as set forth below. These regulations are intended to serve as the minimum standards for these uses, and are not intended to be in substitution for other provisions of this ordinance that may apply, or for additional conditions that may be imposed in connection with special exception or rezoning approvals. Unless otherwise specified, the following additional regulations may be modified by Minor Special Exception in accordance with the provisions of Section 6-1300. Modifications may be approved by the Board of Supervisors upon a finding that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, preserve the County's historic or archeological heritage, or otherwise exceed the public purpose of the existing regulation. No modification shall be granted to any of the underlying zoning district regulations.

5-667 Brewery, Limited. A limited brewery shall be licensed as a Limited Brewery in accordance with Section 4.1-208 of the Code of Virginia, as amended, and shall be located in the AR-1, AR-2, A-10, or A-3 districts. No new building or structure for a limited brewery shall be erected unless a zoning permit has been issued. The owner of a limited brewery is requested to contact the Loudoun County Department of Fire, Rescue and Emergency Management and Department of Building and Development for an informational inspection of the building(s) or structure(s) to be used for the limited brewery prior to establishing use.

ARTICLE 8 DEFINITIONS

Words and terms set forth below shall have the meanings ascribed to them. Any word, term, or phrase used in this Ordinance not defined below shall have the meaning ascribed to such word, term or phrase in the most recent edition of Webster's Unabridged Dictionary, unless in the opinion of the Zoning Administrator, established customs or practices in Loudoun County, Virginia justify a different or additional meaning. For the purpose of this Ordinance, certain words and terms are herein defined as follows:

A

Agricultural cultural center: A facility established for the purpose of educating the public about agricultural activities, and/or the heritage and culture of agricultural activities.

Agricultural ~~processing~~ Processing: ~~Processing operations for agricultural products including meat preparation; feed mills; dairy processing; timber processing; and fruit and vegetable packing, sorting and grading, as an accessory use to an agriculture, horticulture or animal husbandry use.~~ The processing, preparation, and/or manufacturing of agricultural products, including but not limited to changes to the physical state or form of the agricultural product, as an accessory use to an agricultural use. A minimum of 51% of the agricultural products used for the processing, preparation, and/or manufacturing shall be derived from the agricultural use.

Agricultural research facility: A facility for the investigation, testing, and demonstration of agricultural products and processes, including biotechnical agriculture, veterinary, soil, plant and animal sciences.

B

Botanical garden: A garden having documented collections of living plants for the purposes of scientific research, conservation, display or education.

Brewery, Limited: A brewery licensed as a Limited Brewery in accordance with Section 4.1-208 of the Code of Virginia, as amended, and located on a farm in the Commonwealth on land zoned agricultural. For the purposes of this definition, "farm" shall be defined as one or more contiguous parcels of land, totaling a minimum of 10 acres in size, owned or leased by such licensed limited brewery.

Buffering or Screening: Any device or natural growth, or a combination thereof, which shall serve as a barrier to vision, light, or noise between adjoining properties, wherever required by this ordinance and further defined herein and the Facilities Standards Manual (FSM). Whenever used for screening or buffering purposes, "natural growth" shall be taken to mean coniferous or deciduous trees, bushes and shrubbery.

FOR INFORMATIONAL PURPOSES ONLY (NOT PART OF ZOAM 2014-0003)

Agriculture: Uses characterized by general active and on-going agricultural activities, including agronomy, aquaculture, biotechnical agriculture (including education parks for biotechnical agriculture or a demonstration farm), forestry, fisheries, honey production, silviculture (including the harvesting of timber), and similar uses. Agriculture does not include a grocery store or the retail or wholesale sale of products remotely related to the production of agricultural products. Agriculture does not include preparatory functions such as grading or creation of planting beds through stockpiling of dirt or other means when such preparations do not result in an active and on-going agricultural activity within 30 days. Accessory uses may include offices, storage areas and repair facilities related to agriculture uses.

Agriculture Support and Services Directly Associated with On-going Agricultural Activity, On-Site: Uses that provide support and services to agricultural, horticultural and animal husbandry activities, which are limited to and that operate in conjunction with and on the site of on-going agricultural, horticultural or animal husbandry uses. These uses include: agricultural processing; agri-education; animal care businesses; commercial wineries; custom operators (haymaking, brush hogging, crop storage, hauling, fencing, barn construction); direct market businesses for the sale of products produced on-site, including but not limited to PYO (pick-your-own); equestrian facilities; farm co-ops; farm based tourism events; farm markets; farm machinery repair; feedlot (for on-going, on-site, animal husbandry activities); nurseries, commercial; pet farms; products combining recreation with consumption of agricultural products; portable sawmills; small business uses; stables; wayside stands; wetlands mitigation banks; and similar uses.

Agriculture Support and Services Not Directly Associated with On-Site Agricultural Activity: Uses and activities that provide support and services to agricultural, horticultural and animal husbandry activities, either on the site of the agricultural, horticultural or animal husbandry activity, or off-site. These uses include: agricultural research facility; animal care businesses; central farm distribution hub for agricultural products; equestrian facilities; equestrian facilities and infrastructure, public (horse trail networks, show rings, cross country course, etc.); farm machinery repair; farm machinery sales, rental and service; mill feed and farm supply centers; nurseries, commercial; stables, neighborhood, on lots of 25 acres or more, or frontage on state maintained road; stable, private; and similar uses.

Agritainment: Events and activities such as corn mazes, hay rides and petting zoos, that allow for recreation, entertainment and tourism in conjunction with agriculture support and services directly associated with on-going agricultural activity on-site.

Animal Husbandry: The active and on-going propagation, rearing, exercising, feeding, milking, housing, controlling, handling, or general care of living animals, including the raising and production of bison, cattle (beef and dairy), pigs, mules, ducks, emus, horses, goats, llama, alpaca, poultry, pigeons, sheep, and similar animal husbandry uses, but not including miniature horses or pot-belly pigs. The conduct of the foregoing activities with respect to animals meeting the definition of “Pet” or non-domesticated (wild) animals shall not be considered Animal husbandry.

Horticulture: The active and on-going cultivation and production of orchard, garden, or nursery crops on a small or large scale, including the production of Christmas trees, field grown crops, specialty crops, flowers, fruit, grapes, market gardening, nursery stock, nuts, ornamental plants, sod, vegetables, and similar horticultural uses; the cultivation of such produce by means of biotechnical or genetic engineering techniques; and Virginia Farm Wineries. Horticulture does not include preparatory functions such as grading or creation of planting beds through stockpiling of dirt or other means when such preparations do not result in an active and on-going horticultural activity within 30 days

COUNTY STAFF DRAFT TEXT SECTION 5-667 & SECTION 6-703

5-667 Brewery, Limited. Brewery, limited shall be licensed as a Limited Brewery in accordance with Section 4.1-208 of the Code of Virginia and shall be located in the AR-1, AR-2, A-10 or A-3 districts. No Limited Brewery shall be established either as the initial use of the subject property or by change of use of this property or by conversion of one such use to another until a sketch plan, as applicable, for such proposed new use has been approved and the appropriate building permit and/or applicable Fire Prevention Code requirements and/or permits have been met and/or obtained. A Limited Brewery shall comply with the following standards:

(A) Size.

- (1) **Structures.** The size of structures used for a Limited Brewery shall not exceed 12,000 square feet.
- (2) **Storage Yards.** The total area of storage yards used for a Limited Brewery shall not exceed 5,000 square feet.

(B) Yard Standards.

- (1) Structures and outdoor storage areas shall be set back at least 60 feet from all lot lines.
- (2) Parking areas shall be set back at least 40 feet from all lot lines.

(C) Landscaping/Buffering/Screening.

- (1) **Buffer.** The outdoor tasting and events areas within 300 feet of an adjacent residential property shall comply with the landscaping and screening standards of Section 5-653(A). The landscaping and screening requirements of Section 5-653(A) may be waived or modified in whole or in part by the Zoning Administrator in the circumstances listed in Section 5-1409.
- (2) **Parking and Outdoor Storage Areas.** Parking and outdoor storage areas within 300 feet of an adjacent residential property shall be screened to comply with the requirements of Section 5-653(B).

(D) Parking. Parking and loading shall be provided as required by Section 5-1102.

(E) Roads/Access Standards.

- (1) A Limited Brewery shall comply with the road access standards of Section 5-654.
- (2) There shall be no more than two points of access for a Limited Brewery.
- (3) For any Limited Brewery that is located on a lot which does not have frontage on a publicly maintained road, documentation shall be provided to the Zoning Administrator demonstrating that the private access easement serving such lot may be used to provide access to the Limited Brewery.

(F) Exterior Lighting Standards. Exterior lighting shall comply with the standards of Section 5-652(A)(1)-(3) (Exterior Lighting Standards). In addition to the requirements of Section 5-652, the maximum height of pole mounted exterior lighting, outside of parking areas, shall be 12 feet.

(G) Noise. The use shall comply with the noise standards of Section 5-652(B) (Noise Standards).

(H) Water and Wastewater. A Limited Brewery must provide safe and adequate water and waste water disposal, as approved by the Health Department.

6-702 Site Plan Requirements. The requirements for submission, review and approval of all types of site plans shall be pursuant to the Land Subdivision and Development Ordinance and the Facilities Standards Manual.

6-703 Sketch Plan.

- (A) A Sketch Plan is required as part of a zoning permit application for the following permitted uses: Animal Care Business; Bed and Breakfast Homestay and Bed and Breakfast Inn (with less than 5,000 sq. ft. of disturbance); Child Care Home; Farm Market (but not including the use Farm Market (off-site production), which shall require a site plan); Limited Brewery; Stable (Private or Neighborhood); and Wayside Stand.